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9
10 UNITED STATES DISTRICT COURT
11 FOR THE EASTERN DISTRICT OF WASHINGTON
12

13 UNITED STATES OF AMERICA,
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15 Plaintiff,
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17 vs.
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19 GAGE LYLE FORSBERG,
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21 Defendant.
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2:22-CR-0162-TOR-1

RESPONSE TO DEFENDANT'S
SENTENCING MEMORANDUM

23 Plaintiff, United States of America, by and through Vanessa R. Waldref,
24 United States Attorney for the Eastern District of Washington, and Caitlin
25 Baunsgard, Assistant United States Attorney for the Eastern District of
26 Washington, respectfully submits the following Sentencing Memorandum.
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28 **A. THE PSIR:**

As noted in its Notice of Review, the United States has no objections to the
PSIR. *See* ECF. 153. The United States is not aware of any objections from the
Defendant which were not addressed by the Amended PSIR (ECF. 155, 156, 158).
The United States asks the Court to adopt the PSIR without change.

RESPONSE TO DEFENDANT'S SENTENCING MEMORANDUM - 1

1 **B. SENTENCING RECOMMENDATION:**

2 Consistent with the Plea Agreement, the 18 U.S.C. § 3553(a) factors, as well
3 as the purposes and goals of sentencing, the United States recommends the Court
4 accept the Plea Agreement and sentence the Defendant to 180 months of
5 incarceration. The United States submits this is a sufficient but not greater than
6 necessary sentence for this Defendant. The United States respectfully submits the
7 Defendant's recommended sentence is insufficient to accomplish the purposes of
8 sentencing.
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11 The Defendant is before the Court for a serious offense. As outlined in the
12 Plea Agreement and the PSIR, the Defendant had been engaged in this conduct for
13 an extended period and rather quickly became a large-scale dealer in the
14 community. The Defendant increased the danger of his conduct by consistently
15 being armed with a firearm. He further increased the danger of his conduct by
16 fleeing or attempting to flee from law enforcement when contact was attempted.
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19 The Defendant engaged in this conduct after already amassing a significant
20 and consistent criminal history of victimizing others since the age of 13. He has
21 been afforded multiple opportunities for treatment and has the support of his
22 mother. However, nothing as addressed or dissuaded his conduct on a long-term
23 basis.
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26 Surprisingly, the Defendant has never served a significant period of
27 incarceration despite his clear pattern of criminal conduct. There does not appear
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1 to be any attempt at a previous state DOSA sentence, and in fact, it does not appear
2 that he has ever gone to prison – just served time in local jails. Accordingly, it is
3 doubtful that he has been given an extended period in a structured environment
4 which his mother advised was likely necessary for his success. The United States
5 submits that its recommended sentence answers the call of sentencing and will
6 afford the Defendant with time to settle into a structure environment, obtain further
7 education as well as vocational opportunities. Based on the totality of the
8 circumstances, the United States asks the Court to sentence the Defendant as
9 recommended.
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13 DATED this 19th day of June, 2024.

14 Vanessa R. Waldref
15 United States Attorney

16 s/Caitlin Baunsgard
17 Caitlin Baunsgard
18 Assistant United States Attorney

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20 **CERTIFICATE OF SERVICE**

21 I hereby certify that on June 19, 2024, I electronically filed the foregoing
22 with the Clerk of the Court using the CM/ECF System which will send notification
23 of such filing to the following, and/or I hereby certify that I have mailed by United
24 States Postal Service the document to the following non-CM/ECF participant(s):

25 Doug Phelps

26
27 s/Caitlin Baunsgard
28 Caitlin Baunsgard
Assistant United States Attorney